

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

PAUL REED,	:	
	:	Case No. 5:17-cv-02672
Petitioner,	:	
	:	
vs.	:	OPINION & ORDER
	:	[Resolving Doc. 1]
ED SHELDON, Warden,	:	
	:	
Respondent.	:	

JAMES S. GWIN, UNITED STATES DISTRICT JUDGE:

In this case, Petitioner Paul Reed asks the Court to grant him a writ of habeas corpus under 28 U.S.C. § 2254.¹

Reed's petition arises from a 2015 case where an Ohio jury found him guilty of one count of murder and one count of complicity to commit murder. After the guilty verdicts, the state trial judge sentenced Reed to fifteen years to life imprisonment. With his habeas claim, Petitioner Reed claims violations of his due process rights on the basis of: (i) the insufficient evidence to support the charges, (ii) the trial court's failure to give the jury self-defense instructions, and (iii) the cumulative effect of the trial court's abuses of discretion.² Accordingly, Petitioner Reed asks the Court for a writ of habeas corpus.³

Magistrate Judge Parker issued a Report and Recommendation, that recommended the Court deny Reed's request.⁴ Neither party objected to this Report and Recommendation.

If a party had objected to the Report and Recommendation, the Court would consider the objected-to findings and conclusions *de novo*.⁵ However, because neither party has

¹ Doc. 1.

² *Id.*

³ Doc. 1. Respondent filed a return of writ. Doc. 9. Petitioner filed a traverse. Doc. 13.

⁴ Doc. 14.

⁵ 28 U.S.C. § 636(b)(1).

objected, they have forfeited the Court's review.⁶ Moreover, the Court agrees with Judge Parker's thorough analysis and conclusions.

Accordingly, the Court **ADOPTS** the Report and Recommendation and **DENIES** Petitioner's request for a writ of habeas corpus.

The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3) that an appeal from this decision could not be taken in good faith. There is no basis upon which to issue a certificate of appealability.⁷

IT IS SO ORDERED.

Dated: September 20, 2019

s/ *James S. Gwin*
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE

⁶ *Thomas v. Arn*, 474 U.S. 140, 149–50 (1985) (holding that Congress did not intend to “require district court review of a magistrate judge’s factual or legal conclusions . . . when neither party objects to those findings.”).

⁷ 28 U.S.C. § 2253(c); Fed. R. App. P. 22(b).